

**BOROUGH OF BERNARDSVILLE**  
**Mayor & Borough Council Meeting Minutes**  
**June 13, 2022**

Mayor Canose called this meeting to order at 7:00 p.m. remotely via Zoom. Present were Council Members Jay Ambelang, Diane Greenfield, Jena McCredie, Al Ribeiro, and Christine Zamarra. Also present were Tom Czerniecki, Administrator, Anthony Suriano, Borough Clerk, and John Pidgeon, Borough Attorney. Council Member Chad McQueen was absent.

**STATEMENT OF PRESIDING OFFICER**

Notice of this meeting was provided to the Bernardsville News, Courier News and the Star Ledger, filed with the Municipal Clerk and posted on the Municipal Bulletin Board on December 27, 2021.

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

**Mayor's Proclamation, Bernards High School Boys Tennis Team,** Mayor Canose read a proclamation honoring the Bernards High School Boys Tennis Team that won the NJSIAA Group 1 Championship.

**Phase I Recreation Plan – Suburban Engineering.** Joseph Perello and Chris Kemper of Suburban Engineering were present. They spoke about conceptual designs for various park and trail projects. The project areas are the Polo Grounds and 271 Mine Brook Road. Mr. Kemper said at the Polo Grounds, one of their tasks was to design a connector pathway to the Audubon property. He said another task for the Polo Grounds was to design sports lighting and a multipurpose building. He said at the 271 Mine Brook Road site, the task was establishing a trail within the wooded area, another perimeter trail in the open lawn area, and parking and driveway improvements to help with accessibility to the site.

**Memorial Park Dam Remediation,** Mary Paist-Goldman of Rippled Waters was present. Ms. Paist-Goldman went through her presentation from the May 9<sup>th</sup> meeting and showed slides of the pros and cons of dam removal, a removal restoration concept, removal restoration photos, anticipated costs for dam removal, and potential funding sources.

**OPEN SESSION**

Mayor Canose opened the meeting to the public.

Michael Long, Crest Drive, asked Suburban Engineering about the proposed lighting system. Joseph Perello, Suburban Engineering, said they use Musco Sports Lighting, which would meet the requirements for the highest level of play. Mr. Long said it's important to keep track of the priorities for the various fields, such as the Polo Grounds. Ms. McCredie said Recreation Director, Bob Markowick, will meet with our sports groups and include Mike Hoppe.

Jeff Hammond, Flintlock Court, gave ideas regarding the Recreation Master Plan, including a community room, recreation facilities, and usage of paths. Mr. Czerniecki said scouts are working on trails and an existing structure can be used as storage. Ms. Greenfield said the Mayor is forming an ad hoc Trails Committee.

Michael Long asked about the effect dam removal would have on the Rose Bowl.

Roberta Ruschmann, Mine Brook Road, asked if there would be any impact to her property if the dam was removed. Ms. Paist-Goldman said no.

Johanna Wissinger, Washington Corner Road, spoke about her concerns regarding dam removal which included wet areas and conduit under the railroad tracks.

Jeff Collar, Mount Airy Road, spoke about dam removal regarding rocks and river setting.

Hearing no further comments, Mayor Canose closed the open session.

#### **ORDINANCES (Public Hearing) - None**

#### **ORDINANCES (Introduction)**

Ms. Zamarra moved that Ordinance #2022-1920, **AN ORDINANCE SETTING 2022 SALARIES AND HOURLY RATES FOR NON-CONTRACTUAL EMPLOYEES**, be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, June 27, 2022. Mr. Ribeiro seconded and the motion was approved with five yes votes.

Ms. Zamarra moved that Ordinance #2022-1921, **CONCERNING OUTDOOR DINING AND AMENDING ARTICLE 12 OF THE BOROUGH CODE ENTITLED "ZONING"**, be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, June 27, 2022. Ms. McCredie seconded and the motion was approved with five yes votes.

Mr. Ribeiro moved that Ordinance #2022-1922, **CREATING A DEPARTMENT OF FINANCE, CLARIFYING THE DUTIES OF THE POSITIONS WITHIN THE FINANCE DEPARTMENT; SUPPLEMENTING AND AMENDING SECTION 2-10 OF THE BOROUGH CODE ENTITLED "CHIEF FINANCIAL OFFICER" AND RENAMING THAT SECTION "DEPARTMENT OF FINANCE"**, be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, June 27, 2022. Ms. Zamarra seconded and the motion was approved with five yes votes.

#### **RESOLUTIONS**

**#22-123A      AUTHORIZING PROCEEDING WITH THE STATE MANDATED  
MEMORIAL PARK DAM REMEDIATION PROJECT THROUGH  
THE REMOVAL OF THE MEMORIAL PARK DAM**

Ms. Greenfield moved to adopt Resolution #22-123A. Ms. Zamarra seconded and the motion was approved by the following roll call vote. Mr. Ambelang, Ms. Greenfield, Ms. McCredie, Mr. Ribeiro, and Ms. Zamarra voted yes.

**#22-124      ACKNOWLEDGING AUTOMATIC RENEWAL OF 2020-2022  
URBAN COUNTY COOPERATION AGREEMENT FOR  
PARTICIPATION IN SOMERSET COUNTY'S COMMUNITY  
DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT  
PARTNERSHIP PROGRAM ACTIVITIES**

**#22-125      AUTHORIZATION OF TAX REFUND**

**#22-126      APPROVAL TO SUBMIT A GRANT APPLICATION AND  
EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION FOR THE CAMPBELL  
ROAD IMPROVEMENTS PROJECT**

**#22-127      APPROVING SUBMITTAL OF A GRANT APPLICATION FOR  
THE WEST STREET AND BOYLAN TERRACE SAFE ROUTES  
TO SCHOOL SIDEWALK PROJECT**

**#22-128      APPROVAL TO SUBMIT A GRANT APPLICATION AND  
EXECUTE A GRANT AGREEMENT WITH THE NEW  
JERSEY DEPARTMENT OF TRANSPORTATION FOR THE  
MINE AVENUE, WEST STREET, GROVE STREET, LOWER  
GARIBALDI STREET, MAPLE AVENUE EXTENSION, AND  
BOYLAN TERRACE PROJECTS**

**#22-129      APPROVING A FIREWORKS PERMIT FOR SOMERSET HILLS  
COUNTRY CLUB**

**#22-130      AUTHORIZING RENEWAL OF A.B.C. LICENSES**

**#22-131      AUTHORIZING REFUND OF POLICE ESCROW FEES**

**#22-132      AUTHORIZING RELEASE OF BOND FOR STREET OPENING  
PERMIT NO. 3211 -23 HIGHVIEW AVENUE**

**#22-133      A RESOLUTION URGING THE NEW JERSEY  
LEGISLATURE TO AMEND THE BUDGET CAP LAW TO  
APPROPRIATE FUNDS FOR INCREASING INSURANCE  
COSTS**

- #22-134      AWARDING A CONTRACT FOR THE MILLING AND PAVING OF VARIOUS ROADS WITHIN THE BOROUGH THROUGH THE MORRIS COUNTY CO-OP**
- #22-135      RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS PER NJSA 40A:4-87**
- #22-136      RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS PER NJSA 40A:4-87 2021/2022 MUNICIPAL YOUTH SERVICES GRANT**
- #22-137      AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH RIPPLED WATERS ENGINEERING, LLC FOR ENGINEERING SERVICES FOR DAM REMOVAL**
- #22-139      APPROVING MEMBERSHIP IN THE FIRE COMPANY**
- #22-140      AUTHORIZING PAYMENT OF BILLS**

Regarding #22-135, Mayor Canose said the purpose is for clean communities.

Regarding #22-139, Ms. Zamarra thanked Damien Juth for his volunteering to be a member of the Bernardsville Fire Company.

It was decided to vote separately on Resolution #22-138.

Ms. McCredie moved to adopt Resolutions #22-124 to #22-140 except #22-138. Ms. Greenfield seconded and the motion was approved by the following roll call vote. Mr. Ambelang, Ms. Greenfield, Ms. McCredie, Mr. Ribeiro, and Ms. Zamarra voted yes.

- #22-138      AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH FERRIERO ENGINEERING, INC. FOR ENGINEERING SERVICES FOR DAM REMOVAL**

Ms. Greenfield moved to adopt Resolution #22-138. Ms. Zamarra seconded and the motion was approved by the following roll call vote. Ms. Greenfield, Mr. Ribeiro, and Ms. Zamarra voted yes. Mr. Ambelang and Ms. McCredie voted no.

## **ITEMS OF BUSINESS**

### **Request for Rezoning at 5 Seney Drive**

Vincent Paragano was present for his request to rezone the property located at 5 Seney Drive from D-CL to R-5. Mr. Ribeiro moved that Ordinance #2022-1923, **AN ORDINANCE REZONING PROPERTY LOCATED AT 5 SENEY DRIVE (BLOCK 41, LOT 2) FROM**

**D-CL TO R-5 AND SUPPLEMENTING AND AMENDING SECTION LD 12-2.2 OF THE BOROUGH CODE ENTITLED "ZONING MAP"**, be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, June 27, 2022. Ms. Greenfield seconded and the motion was approved with five yes votes. This ordinance will be referred to the Planning Board for recommendation before coming back to council.

### **Mayor's Update**

Mayor Canose said on May 25<sup>th</sup>, she had a meeting with Suburban Engineering who presented earlier in the meeting. On May 26<sup>th</sup>, Mayor Canose attended a dinner and flag ceremony at Heartworks. Mayor Canose thanked the Recreation Department for their organizing of the Memorial Day Parade on May 30<sup>th</sup>. On June 1<sup>st</sup>, Mayor Canose did a Farmers' Market video with Madelyn English and Olivia Manning. On June 3<sup>rd</sup>, Mayor Canose attended the Somerset County Business Partnership webinar where the topic was minority businesses. Mayor Canose thanked Downtown Bernardsville for organizing the Car Show on June 5<sup>th</sup>. On June 7<sup>th</sup>, Mayor Canose attended Community and Conversation with Assistant Recreation Director, Leah Horowitz. Mr. Czerniecki and Mayor Canose met with Chris Herold and Maria Nadal regarding the Quimby project. On June 8<sup>th</sup>, Mayor Canose attended the Somerset County Office on Aging and Disabilities Public Hearing. She said she attended as a member of the advisory committee. They covered all the resources available for seniors and the disabled including nutrition programs, wellness programs, caregiver support, personal assistance programs, Adult Day Care, Adult Protective Services, Assisted transportation, Friendly Visitor program, legal services, senior shopping, and senior wellness/nutrition programs at six sites in Somerset County. On June 9<sup>th</sup>, there was a sidewalk audit with RideWise for Old Army Road and Childs Road. Also on June 9<sup>th</sup>, Mayor Canose attended the Bedwell Garden Photography Show and Downtown Bernardsville Board Meeting. Mayor Canose said she has created a Mayor's ad hoc committee for trail monitoring. Members are John Donahue, Kerry Haselton, Jay Ambelang, Lennie Ambelang, Hilary Dudley, Rob Wilson, and Greg deGrandpre. Ms. Greenfield will be the head of the group. Mayor Canose said their role is to identify and promote the existing trails and report on any repairs or clearing that needs to be done. The committee will work with Bob Markowick and the Recreation Committee. Mayor Canose said she will be doing a Ribbon Cutting at 11 a.m. at Well Bred pet store on June 18<sup>th</sup>. Mayor Canose said on June 20<sup>th</sup>, there will be the Outstanding Community Volunteer Awards held at 7 p.m. at the Bernardsville Theater.

### **Administrator's Report**

Mr. Czerniecki said on June 10<sup>th</sup> he went out to do crack sealing with the Road Department crew.

### **Correspondence - Affinity Federal Credit Union**

A request from Affinity Federal Credit Union to come to Borough Hall and offer services to borough employees was received. It was decided to send this topic to the Personnel Committee for review.

### **Unfinished Business**

**Food Bank (Amerman Lot)**, Chief Valentine said the Public Safety Committee had discussed the current location of the Amerman Lot for the Food Bank that had been requested by Peter Roselle of King of Kings Worship Center. There are concerns about traffic with having the food bank at this location. Chief Valentine said this topic may come back to council in the future

### **New Business**

**Fence Ordinance**, council discussed a draft of a fence ordinance as provided by the Housing Committee. Mr. Pidgeon will have an ordinance prepared for the next council meeting. It was noted that any comments or questions that council members have on this ordinance should be sent to Ms. Greenfield as she is the council member on the Housing Committee.

**Crosswalk on Route 202**, Chief Valentine said he is working with NJDOT for a crosswalk on Route 202 by the Karate Studio/Bistro 73. The Public Safety Committee asked for a letter to be sent to NJDOT asking for a crosswalk at this location to be a priority when funding comes up again.

**Traffic Studies**, Ms. McCredie asked when townhomes or condos are built, who is responsible for a traffic study. Joe DeMarco said this is usually done by the Planning Board. It was noted that Mr. Czerniecki would talk to Borough Planner John Szabo about this topic.

### **CLOSED SESSION**

It was moved to adjourn to an executive session to consider Contract Negotiations and that the time when and circumstances under which the matter can be disclosed to the public is when it is finally resolved. The motion was seconded and approved with five yes votes.

### **ADJOURNMENT**

The meeting was adjourned at 10:35 p.m.

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